

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ENEIDA LOPEZ	:	CIVIL ACTION
<i>Plaintiff</i>	:	
	:	
	:	NO. 20-2694
V.	:	
	:	
ETHICON INC., <i>et al.</i>	:	
<i>Defendants</i>	:	

ORDER

AND NOW, this 16th day of September 2020, upon consideration of the *motion for summary judgment* filed by Defendants Ethicon, Inc. and Johnson & Johnson (collectively, “Defendants”), [ECF 31, 32], and the response in opposition filed by Plaintiff Eneida Lopez, [ECF 35, 36], it is hereby **ORDERED** that, for the reasons set forth in the accompanying Memorandum Opinion, Defendants’ motion for summary judgment is **GRANTED**, *in part*, and **DENIED**, *in part*, as follows:

- (1) Defendants’ motion is **GRANTED** as to Plaintiff’s strict liability claims at Counts III and V. Accordingly, **JUDGMENT** is entered in favor of Defendants Ethicon, Inc. and Johnson & Johnson and against Plaintiff Eneida Lopez on Counts III and V; and
- (2) Defendants’ motion is **DENIED** as to Plaintiff’s negligence claims premised on failure to warn and design defects contained within Count I.

It is further **ORDERED** that Counts I (to the extent premised on a manufacturing defect), II, IV, and VI through XV are deemed **WITHDRAWN**, with prejudice, and Counts XVII and XVIII are **DISMISSED** with prejudice.

BY THE COURT:

/s/ Nitzia I. Quiñones Alejandro
NITZA I. QUIÑONES ALEJANDRO
Judge, United States District Court